



# County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA  
Chief Executive Officer

Board of Supervisors  
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Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

June 14, 2010

To: Supervisor Gloria Molina, Chair  
Supervisor Mark Ridley-Thomas  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe  
Supervisor Michael D. Antonovich

From: William T Fujioka  
Chief Executive Officer

A handwritten signature in black ink, appearing to be "W. T. Fujioka", written over a horizontal line.

**MOTION TO SUPPORT SB 435 (PAVLEY), RELATED TO MOTORCYCLES AND ENVIRONMENTAL PROTECTION REQUIREMENTS AND INSTRUCT THE COUNTY'S SACRAMENTO ADVOCATES TO PURSUE THE COUNTY'S POSITION (ITEM NO. 72-A – AGENDA OF JUNE 15, 2010)**

Item No. 72-A on the June 15, 2010 Agenda is a motion by Supervisor Yaroslavsky instructing the Chief Executive Officer to send a letter on behalf of the Board to the County's Legislative Delegation urging the passage of SB 435 (Pavley), legislation which would require that every motorcycle registered in California retain its federally required Environmental Protection Agency label, and instruct the County's Sacramento Advocates to pursue the County's position on this bill for the improved public health and safety of residents throughout California.

Existing law prohibits a person from: 1) operating or leaving standing upon a highway, a motor vehicle, unless the vehicle is equipped with the required pollution control device that is correctly installed and in operating conditions; 2) disconnecting, modifying, or altering those required pollution control devices; and 3) installing, selling, offering for sale, or advertising a device, apparatus, or mechanism intended for use with, or as a part of, the required pollution control device or system that alters or modifies the original device or performance of that device or system. Current law imposes fines of not less than \$50 or more than \$100 for first convictions, and fines of \$100 to \$250 for second or subsequent convictions for violation of these provisions.

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Each Supervisor  
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Federal regulations require a motorcycle manufactured on and after January 1, 1983, and exhaust emission systems for those motorcycles, to meet specified noise emissions standards and existing law requires a label be affixed onto the motorcycle or exhaust emission system indicating that the motorcycle or exhaust emission system meets the noise emissions standards.

SB 435, as amended on June 10, 2010, would make it a crime for a person to park, use, or operate a motorcycle, registered in the State, that does not have the above label required by Federal regulations, and make a violation of this provision punishable by a fine of not less than \$300, and also require that a violation of the other above existing law provisions is punishable by a fine of not less than \$300.

SB 435 does not have any direct impact on County operations or any County departments. **Because there is no existing Board policy to support SB 435, a position on SB 435 is a matter for Board policy determination.**

Support and opposition to the June 10, 2010 version of SB 435 is currently unknown. This measure is set for hearing on Monday, June 21, 2010 in the Assembly Transportation Committee.

WTF:RA  
EW:er

c: Executive Office, Board of Supervisors  
County Counsel